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Attorney for Defendant Rashad Quintel Sanders

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF OREGON
Portland Division

UNITED STATES OF AMERICA,

Plaintiff,

v.

RASHAD QUINTEL SANDERS,

Defendant.

NO. 3:11-cr-00385-HZ

DECLARATION OF COUNSEL IN
SUPPORT OF MOTION TO
WITHDRAW AND SUBSTITUTE
ATTORNEY

I, MARK AUSTIN CROSS, being first duly sworn, depose and say the following:

1. I am the attorney of record for the defendant, Rashad Quintel Sanders, defendant in the above-captioned case having been appointed at the January 10, 2012, hearing on

defendant's first motion to substitute counsel Susan Russell before the Hon. Marco A. Hernandez.

2. On November 4, 2011, defendant initially appeared on an indictment charging him with two counts of Transporting a Minor in violation of 18 U.S.C. § 2423 and one count of Sex Trafficking of a Minor in violation of 18 U.S.C. § 1591 and 1594(a). The court found defendant to be an indigent person without the funds necessary to retain an attorney. Mr. Sanders has been detained since his initial appearance, and continues to be indigent.

3. On February 6, 2012, Defendant appeared for arraignment on a superceding indictment charging an additional count of Sex Trafficking of a Minor. Should defendant be convicted on all charges he faces possible life imprisonment.

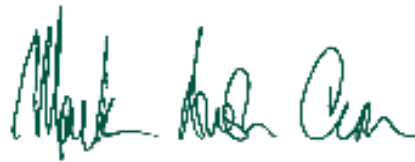
4. On June 7, 2012, at defendant's direction, I filed Defendant's Motion to Replace Attorney and Declaration of Counsel in Support of Defendant's Motion to Replace Attorney. On June 14, 2014, after hearing from both the defendant and counsel, the court denied defendant's motion.

5. In the last month defendant and I have spent 10.7 hours discussing his options: accepting the government's plea offer, continuing to negotiate a plea, or proceeding to trial. At the beginning of our most recent conference on September 28, 2012, defendant immediately informed me that he wanted a new attorney, that he did not trust me, and that he thought I was "working with the prosecutor to put him in prison for life". Thereafter, we spoke for an additional 2 hours about his reasons for wanting a new attorney, as well as his options and the progress of the defense investigation. After our discussion, I was convinced

that the situation had finally become entirely different than it was at the time of our appearance before the court on June 14, 2012, and that the attorney-client relationship has completely and irreversibly broken down.

6. Therefore, based upon the defendant's motion, the points and authorities cited therein, the information contained in this attached declaration, the likelihood of conviction, and the extreme nature of a potential sentence defendant faces under the United States Sentencing Guidelines; 360 months - life in prison, should he be convicted; I ask the court to allow me to withdraw as counsel of record and substitute new counsel.

RESPECTFULLY SUBMITTED this 1st day of September, 2012.

A handwritten signature in blue ink, appearing to read "Mark Austin Cross".

MARK AUSTIN CROSS, OSB No. 79199
Mark Austin Cross, P.C.
Attorney for Defendant Rashad Q. Sanders